



MEMO ENDORSED

U.S. Department of Justice

United States Attorney
Southern District of New York

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The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

February 22, 2007

Honorable Deborah A. Batts (By FAX)
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 2510
New York, NY 10007

Re: United States v. Jorge Hernandez and Nelson Weisberg
07 Cr. 817 (DAB)

Dear Judge Batts:

The Government, on behalf the parties, respectfully requests that the pre-trial conference in the above-captioned case, currently scheduled for Monday, February 25, 2008, at 10:30 a.m., be rescheduled to Tuesday, March 25, 2008, at 4:30 p.m. The Government also requests that time be excluded under the Speedy Trial Act, 18 U.S.C. §§ 3161 et seq., until the date of the rescheduled pre-trial conference, in order to allow the parties to continue to discuss a possible disposition, and to allow the defendants additional time to review discovery. I have spoken with Mr. John Byrnes, Esq., counsel for defendant Jorge Hernandez, and Mr. Andrew Patel, Esq., counsel for defendant Nelson Weisberg, and they both consent to the exclusion of time under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney

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SO ORDERED

DEBORAH A. BATTS 2/22/2008
UNITED STATES DISTRICT JUDGE

By:

cc: John Byrnes, Esq. (Fax: 212-571-0392)
Andrew Patel, Esq. (Fax: 212-346-4665)

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